

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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**HOUSE RESOLUTION 114
Committee Substitute Favorable 2/21/17**

Sponsors:

Referred to:

February 16, 2017

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2017 REGULAR SESSION.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Session of the House of
5 Representatives of the 2017 General Assembly are:

6 **PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE REGULAR**
7 **SESSION OF THE 2017 GENERAL ASSEMBLY OF NORTH CAROLINA**

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I. Order of Business

17
18 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative**
19 **Sessions.** – The House shall convene each legislative day at the hour fixed by the House. In the
20 event the House adjourns on the preceding legislative day without having fixed an hour for
21 reconvening, the House shall convene on the next legislative day at 2:00 P.M. During January and
22 February of 2017, no sessions may be held on Friday. Without leave of the House, no session shall
23 continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and the Speaker shall
24 adjourn the House without motion at that point, except that a motion may be made as to the time
25 and day of next convening. No votes shall be held on Sunday, except for votes on motions to
26 approve the journal and to adjourn.

27 **RULE 1.1. Emergencies.** – In the event of a disaster, natural or otherwise, that
28 precludes the General Assembly from meeting in the Legislative Building, the members will be
29 notified by the Speaker where and when the House will convene.

30 **RULE 2. Opening the Session.** – The Sergeant-at-Arms shall clear the House 10
31 minutes before the convening hour. At the convening hour on each legislative day, the Speaker
32 shall call the members to order and shall have the session opened with prayer. At the convening
33 hour, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of Allegiance to
34 the American Flag.

35 **RULE 3. Quorum.** – (a) A quorum consists of a majority of the qualified members of
36 the House.

37 (b) Should the point of a quorum be raised, the doors shall be closed, and the Clerk
38 shall call the roll of the House, after which the names of those not responding shall again be



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1 called. In the absence of a quorum, 15 members are authorized to compel the attendance of absent
2 members and may order that absentees for whom no sufficient excuses are made be taken into
3 custody wherever they may be found by special messenger appointed for that purpose.

4 **RULE 4. Approval of Journal.** – (a) The Chair of the Standing Committee on Rules,
5 Calendar, and Operations of the House shall cause the Journal of the House to be examined daily
6 before the hour of convening to determine if the proceedings of the previous day have been
7 correctly recorded.

8 (b) Immediately following the Pledge of Allegiance and upon appearance of a
9 quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on
10 Rules, Calendar, and Operations of the House, or by a Representative designated by the Chair, as
11 to whether the proceedings of the previous day have been correctly recorded. Without objection,
12 the Speaker shall cause the Journal to stand approved.

13 **RULE 5. Order of Business of the Day.** – After the approval of the Journal of the
14 preceding day, except by leave of the House, the House shall proceed to business in the following
15 order:

- 16 (1) The receiving of petitions, memorials, and papers addressed to the General
17 Assembly or to the House;
- 18 (2) Messages from the Governor;
- 19 (3) Ratification of bills;
- 20 (4) Reports of standing committees;
- 21 (5) Reports of select committees;
- 22 (6) First reading and reference to committee of bills and resolutions;
- 23 (7) Messages from the Senate;
- 24 (8) Concurrence with Senate amendments or Senate committee substitutes;
- 25 (9) The unfinished business of the preceding day;
- 26 (10) Calendar (each category in accordance with Rule 40 – House bills first):
 - 27 a. Resolutions for adoption
 - 28 b. Conference reports for adoption
 - 29 c. Local bills (roll call), third reading
 - 30 d. Local bills (roll call), second reading
 - 31 e. Local bills, third reading
 - 32 f. Local bills, second reading
 - 33 g. Public bills (roll call), third reading
 - 34 h. Public bills (roll call), second reading
 - 35 i. Public bills and resolutions, third reading
 - 36 j. Public bills and resolutions, second reading;
- 37 (11) Reading of notices and announcements.
- 38 (12) Reading of Representative Statements of Personal Privilege.

39 II. Conduct of Debate

40 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have general
41 direction of the Hall, subject to more specific provisions of these rules. The Speaker may name
42 any member to perform the duties of the chair, but substitution shall not extend beyond one day,
43 except in the case of sickness or by leave of the House. If the Speaker is absent and has not
44 designated a member or the Principal Clerk to perform the duties of the chair, the Speaker Pro
45 Tempore shall preside during such absence. In the case of a vacancy in the office of the Speaker of
46 the House of Representatives, the Principal Clerk shall preside over the House until the House
47 elects a Speaker.

48 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition for any
49 purpose, the member shall rise and respectfully address the Speaker. No member shall proceed
50 until recognized by the Speaker for a purpose.

1 (b) When a member desires to interrupt a member having the floor, the member
2 shall first obtain recognition by the Speaker and permission of the member occupying the floor,
3 and when such recognition and permission have been obtained, he or she may propound a question
4 to the member occupying the floor; but he or she shall not otherwise interrupt the member having
5 the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point
6 of order being raised, enforce this rule.

7 (c) A member who has obtained the floor may be interrupted only for the following
8 reasons:

9 (1) A request that the member speaking yield for a question,

10 (2) A point of order,

11 (3) A parliamentary inquiry, or

12 (4) A question of privilege.

13 **RULE 8. Questions of Privilege.** – Upon recognition by the Speaker for that purpose,
14 any member may speak to a question of privilege for a time not to exceed three minutes. Questions
15 of privilege shall be those affecting, first, the rights of the House collectively, its safety, dignity,
16 and the integrity of its proceedings; second, the rights, reputation, and conduct of members,
17 individually, in their representative capacity only; and shall have precedence over all other
18 questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill.
19 The Speaker shall determine if the question is one of privilege and shall, without the point of order
20 being raised, enforce this rule.

21 **RULE 8.1. Statements of personal privilege; explanation of vote.** – Upon
22 recognition by the Speaker for that purpose, any member may speak to a question of personal
23 privilege for a time not exceeding three minutes and may use some or all of that time to explain to
24 the House a "Representative Statement of Personal Privilege." Upon motion supported by a
25 majority present and voting, that statement may be spread upon the Journal. Neither personal
26 privilege nor a Representative Statement of Personal Privilege may be used to explain a vote,
27 debate a bill, or in any way disrupt the regular business of the House, nor shall such opportunities
28 be used to solicit support or sponsors for any bill. The format of a Representative Statement of
29 Personal Privilege shall be prescribed by the Chairman of the Committee on Rules, Calendar, and
30 Operations of the House, but in any case shall speak only in the voice of the member submitting it.
31 The Speaker shall determine if the question raised is one of personal privilege and shall, without
32 the point of order being raised, enforce this rule.

33 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order and may
34 speak to points of order in preference to other members arising from their seats for that purpose.
35 Any member may appeal from the ruling of the chair on questions of order; on such appeal no
36 member may speak more than once, unless by leave of the House. A three-fifths vote of the
37 members present shall be necessary to sustain any appeal from the ruling of the chair.

38 (b) When the Speaker calls a member to order, the member shall be seated, except
39 that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate
40 so long as the decision stands. If the member appeals from the ruling of the chair and the decision
41 by a three-fifths vote of the members present be in favor of the member called to order, the
42 member may proceed; if otherwise, the member shall not; and if the case, in the judgment of the
43 House requires it, the member shall be liable to censure by the House.

44 **RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate, or solicit
45 cosponsors for a bill or resolution at its first reading.

46 (b) No member shall speak more than twice on the main question nor longer than
47 15 minutes for the first speech and five minutes for the second speech; nor shall the member speak
48 more than twice upon an amendment or motion to reconsider, re-refer, or postpone or any motion
49 on concurrence, and then not longer than 10 minutes for the first speech and five minutes for the
50 second speech.

1 (c) A member may speak only once and for not more than 10 minutes on the
2 question of the adoption of a minority report.

3 (d) In computing the time allowed for argument, the time consumed in answering
4 questions should be considered and is taken out of any time allowed that member.

5 (e) The House, by consent of a majority of the members present, may suspend the
6 operation of subsections (b) through (d) of this rule during any debate on any particular question
7 before the House.

8 **RULE 11. Reading of Papers.** – When there is a call for the reading of the text of a
9 paper which has been presented to the House and there is objection to such reading, the question
10 shall be determined by a majority vote of the members of the House present. Except for protests
11 permitted by the Constitution, no member may have material printed in the Journal until said
12 material has been presented to the House and the printing approved by the House, and said
13 material shall not exceed 1,000 words.

14 **RULE 12. General Decorum.** – (a) The Speaker shall preserve order and decorum.

15 (b) Decency of speech shall be observed and disrespect to personalities carefully
16 avoided.

17 (c) When the Speaker is putting any question, or addressing the House, no person
18 shall speak, stand up, walk out of, or cross the House nor, when a member is speaking, engage in
19 disruptive discourse or pass between the member and the chair.

20 (d) Food or beverages shall not be permitted on the floor of the House during the
21 first hour of the daily session.

22 (e) The reading of newspapers shall not be permitted on the floor of the House
23 while the House is in session.

24 (f) The consumption of food or beverages shall not be permitted in the galleries at
25 any time.

26 (g) Special recitals and performances by musicians or other groups shall not be
27 permitted on the floor of the House; and special guests of members of the House shall not be
28 permitted on the floor of the House.

29 (h) Members shall observe appropriate attire, coat and tie for male members and
30 dignified dress for female members.

31 (i) The use of a mobile device or cellular phone for the purpose of making or
32 receiving a phone call shall not be permitted in the House Chamber.

33 (j) Placards, stickers, or signs are not permitted in the House Chamber.

34 **III. Motions**

35 **RULE 13. Motions Generally.** – (a) Every motion shall be reduced to writing if the
36 Speaker or any two members request it. No motion relating to a bill shall be in order that does not
37 identify the bill by its number and short title.

38 (b) When a motion is made, it shall be stated by the Speaker or, if written, it shall
39 be handed to the chair and read aloud by the Speaker or Clerk before debate.

40 (c) After a motion has been stated by the Speaker or read by the Speaker or Clerk,
41 it shall be in the possession of the House; but it may be withdrawn before a decision or
42 amendment, except in case of a motion to reconsider, which motion, when made by a member,
43 shall be in possession of the House and shall not be withdrawn without leave of the House.

44 **RULE 14. Motions, Order of Precedence.** – When there are motions before the
45 House, the order of precedence is as follows:

46 To adjourn.

47 To recess.

48 To lay on the table.

49 Previous question.

50 To postpone indefinitely.

51 To reconsider.

1 To postpone to a day certain.

2 To re-refer.

3 To amend an amendment.

4 To amend.

5 To pass the bill.

6 No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to
7 re-refer, to divide the question, or to make a particular amendment, being decided, shall be again
8 allowed at the same stage of the bill or proposition.

9 **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded before the
10 motion is put to the vote of the House.

11 (b) A motion to adjourn shall be decided without debate and shall always be in
12 order, except when the House is voting or some member is speaking; but a motion to adjourn shall
13 not follow a motion to adjourn until debate or some other business of the House has intervened.

14 **RULE 15.1. Motion to adjourn or stand in recess; standard stipulations.** – A
15 motion to adjourn or stand in recess subject to the standard stipulations shall constitute a motion to
16 adjourn or stand in recess subject to the ratification of bills, messages from the Senate, committee
17 reports, conference reports, referral and re-referral of bills and resolutions, appointment of
18 conferees, introduction of bills and resolutions, committee appointments, and the reading of
19 Representative Statements.

20 **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before the
21 motion is put to the vote of the House and is in order except when a motion to adjourn or to recess
22 is before the House.

23 (b) A motion to table shall be decided without debate; however, the proponent of
24 the matter that is subject of the motion to table shall be given up to two minutes to explain the
25 matter subject to the motion to table if the proponent has not previously explained the matter prior
26 to the motion to table.

27 (c) A motion to table a bill shall constitute a motion to table the bill and all
28 amendments thereto.

29 (d) When the question before the House is the adoption of an amendment to a bill
30 or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies
31 to the amendment only, and the motion may not expressly or by implication or construction be
32 expanded to include a motion to table the bill also.

33 (e) When a question has been tabled, it shall not thereafter be considered, except on
34 motion to reconsider under Rule 18 or to remove from the table approved by a two-thirds vote.

35 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone indefinitely is in
36 order except when a motion to adjourn or to lay on the table or for the previous question or to
37 recess is before the House. However, after one motion to postpone indefinitely has been decided,
38 another motion to postpone indefinitely shall not be allowed at the same stage of the bill or
39 proposition. When a question has been postponed indefinitely, it shall not thereafter be considered,
40 except on motion to reconsider under Rule 18 or to place on the favorable calendar approved by a
41 two-thirds vote.

42 **RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it is in
43 order for any member to move for the reconsideration thereof on the same or the succeeding
44 legislative day; provided that if the vote by which the motion was originally decided was taken by
45 a recorded vote, only a member of the prevailing side may move for reconsideration.

46 (b) A motion to reconsider shall be determined by a majority vote, except the
47 following shall require a two-thirds vote: a second or subsequent motion to reconsider and a
48 motion to reconsider:

49 (1) A vote upon a motion to table,

50 (2) A motion to postpone indefinitely,

51 (3) A motion to remove a bill from the unfavorable calendar,

1 (4) A motion that a bill be read twice on the same day, or
2 (5) A motion to remove from the table.
3 (c) A motion to reconsider the vote by which a person has been elected as Speaker
4 or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended
5 except by a vote of three-fifths of all the members of the House.

6 **RULE 19. Previous Question.** – (a) The previous question may be called only by:

- 7 (1) The Chair of the Committee on Rules, Calendar, and Operations of the House;
8 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the
9 House if the Chair is not in the chamber or able to participate in debate;
10 (2) The Majority Leader;
11 (3) The member submitting the report on the bill or other matter under
12 consideration;
13 (4) The member introducing the bill or other matter under consideration;
14 (5) The member in charge of the measure, who shall be designated by the chair of
15 the standing committee reporting the same to the House at the time the bill or
16 other matter under consideration is reported to the House or taken up for
17 consideration.

18 (b) When the call for the previous question has been decided in the affirmative by a
19 majority vote of the House, the question is on the passage of the bill, resolution, or other matter
20 under consideration.

21 (c) The call for the previous question shall preclude all motions, amendments, and
22 debate, except the motion to adjourn, motion to recess, or motion to table.

23 (d) If the previous question is decided in the negative, the question remains under
24 debate.

25 (e) After the previous question is ordered by the House on the main question of
26 second or third reading, the Majority Leader and the Minority Leader may each allocate three
27 minutes of debate on the question. The Majority Leader and the Minority Leader may each
28 designate another member to act under this subsection.

29 **IV. Voting**

30 **RULE 20. Use of Electronic Voting System.** – (a) Votes on the following questions
31 shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the
32 Journal:

- 33 (1) The passage as required by Article II, Section 23 of the North Carolina
34 Constitution on second and third readings of any bill:
35 a. Raising money on the credit of the State,
36 b. Pledging the faith of the State for the payment of a debt,
37 c. Imposing a State tax, or
38 d. Authorizing a county, municipality, or other local governmental unit to:
39 1. Raise money on its credit,
40 2. Pledge its faith for the payment of a debt, or
41 3. Impose a local tax.
42 (2) All questions on which a call for the ayes and noes under Rule 24(a) and Article
43 II, Section 19 of the North Carolina Constitution has been sustained.
44 (3) Both second and third readings of bills proposing amendment of the North
45 Carolina Constitution or ratifying resolutions amending the United States
46 Constitution.
47 (4) The passage of a bill notwithstanding the Governor's veto thereof pursuant to
48 Article II, Section 22 of the North Carolina Constitution.
49 (b) Votes on the following questions shall be taken on the electronic voting system:
50 (1) Second reading of all public bills except resolutions, all amendments to public
51 bills offered after second reading, third reading if a public bill was amended

1 after second reading or if the reading occurs on a day or days following the
2 second reading, all conference reports on public bills, all motions to lay public
3 bills on the table, and all motions to postpone public bills indefinitely.

4 (2) Upon a call for division.

5 (3) Any other question upon direction of the Speaker or upon motion of any
6 member supported by one-fifth of the members present.

7 (c) When the electronic voting system is used, 15 seconds shall be allowed for
8 voting on the question before the House, unless the Chair shall direct otherwise. Once the system
9 is locked, the vote shall be recorded and printed.

10 (d) The voting station at each member's desk in the Chamber shall be used only by
11 the member to which the station is assigned. Under no circumstances shall any other person vote
12 at a member's station. It is a breach of the ethical obligation of a member either to request that
13 another person vote at the requesting member's station or to vote at another member's station. The
14 Speaker shall enforce this rule without exception.

15 (e) When the electronic voting system is used, the Speaker shall state the question
16 and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the
17 Clerk will open the vote." In order to have the vote recorded, the member must vote by the
18 electronic voting system within the time allowed for that vote, unless the voting station assigned to
19 a member is malfunctioning. The Speaker shall enforce this rule without exception. After the
20 allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine
21 and record the vote." After the machine is locked and the vote recorded, the Speaker shall
22 announce the vote and declare the result.

23 (f) One copy of the machine printout of the vote record of all votes taken on the
24 electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall be
25 filed in the Legislative Library where the copies shall be open to public inspection. A legible copy
26 of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of
27 the vote in the Legislative Library.

28 (g) When the Speaker ascertains that the electronic voting system is inoperative
29 before a vote is taken or while a vote is being taken on the electronic voting system, the Speaker
30 shall announce that fact to the House, and any partial electronic voting system voting record shall
31 be voided. In such a case, if the North Carolina Constitution or the Rules of the House require a
32 call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be
33 taken manually and shall be recorded on the Journal. All roll call votes shall be taken
34 alphabetically. If, after a vote is taken on the electronic voting system, it is discovered that a
35 malfunction caused an error in the electronic voting system printout, the Speaker shall direct the
36 Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the
37 House.

38 (h) For the purpose of identifying motions on which the vote is taken on the
39 electronic voting system, the motions are coded as follows:

40 (1) To adjourn.

41 (2) To recess.

42 (3) To lay on the table.

43 (4) Previous question.

44 (5) To postpone indefinitely.

45 (6) To reconsider.

46 (7) To postpone to a day certain.

47 (8) To re-refer.

48 (9) To amend an amendment.

49 (10) To amend.

50 (11) To concur or not concur.

51 (12) Miscellaneous.

1 **RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except those required
2 to be taken on the electronic voting system shall be taken by voice vote.

3 (b) When a voice vote is taken, the Speaker shall put the question substantially as
4 follows: "Those in favor (as the question may be) will say 'aye'," and after the affirmative voice
5 has been expressed, "Those opposed will say 'no'."

6 (c) No statement, explanation, debate, motion, parliamentary inquiry, or point of
7 order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry
8 may be raised, however, after the completion of the vote.

9 **RULE 22. Determining Questions.** – (a) Unless otherwise provided by the North
10 Carolina Constitution or by these rules, all questions shall be determined by a simple majority of
11 the members present and voting.

12 (b) No member may vote unless the member is in the Chamber when the question
13 is put. This subsection of this rule cannot be suspended.

14 **RULE 23. Voting by Division.** – Any member may call for a division of the members
15 upon the question before the result of the vote has been announced. Upon a call for a division, the
16 Speaker shall cause the number voting in the affirmative and in the negative to be determined.
17 Upon a division and count of the House on any question, no member away from the member's seat
18 shall be counted.

19 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call for the
20 ayes and noes. If the call is sustained by one-fifth of the members present, the question shall be
21 decided by the ayes and noes upon a roll call vote.

22 (b) Every member who is in the Hall of the House when the question is put shall
23 vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

24 (c) No member may change a vote without leave of the House, but such leave shall
25 not be granted if it affects the result or if the session in which the vote was taken has been
26 adjourned.

27 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any member
28 shall, upon request, be excused in advance from the deliberations and voting on a particular bill at
29 any time that the reason for the request arises in the proceedings on the bill.

30 (b) The member may make a brief oral statement of the reasons for making the
31 request. The member shall provide to the Principal Clerk, on a form provided by the Clerk, a
32 concise written statement of the reason for the request, and the Clerk shall include this statement
33 in the Journal.

34 (c) Except as provided in subsection (e) of this rule, the member so excused shall
35 not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment
36 to the bill, or offer or vote on any motion concerning the bill, in committee or on the floor of the
37 House at any reading, or any subsequent consideration of the bill.

38 (d) A member may request that his or her excuse from deliberations on a particular
39 bill be withdrawn.

40 (e) By leave of the House, a member who has been excused from deliberations and
41 voting on a bill may participate in deliberations and votes on amendments to which that member
42 does not have any conflict that requires excusal.

43 **RULE 24.1B. Division of Amendments and Questions.** – (a) Any member may call
44 for an amendment to be divided into two or more amendments to be voted on separately, and the
45 Speaker shall determine whether the amendment admits of such a division.

46 (b) If a bill is subject to division into separate parts so that each part states a
47 separate and distinct proposition capable of standing alone, a member may move that the question
48 be divided. The motion shall be in writing, must be submitted to the Principal Clerk at the time the
49 motion is made, and must clearly state how the question is to be divided. The Speaker shall then
50 determine whether the bill admits of such a division. Upon a majority vote of the members present
51 and voting, the motion shall be adopted and there shall be no further amendment or debate on any

1 of the distinct propositions. If the question is divided and any part thereof fails, then the bill shall
2 be removed from the calendar and re-referred to the committee from which the bill was reported.
3 If all parts of the divided question pass, the Speaker shall announce that the entire measure has
4 passed second or third reading.

5 **RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all other
6 instances the Speaker may vote or may reserve this right until there is a tie in which event the
7 Speaker may vote; but in no instance may the Speaker vote twice on the same question.

8 **V. Committees**

9 **RULE 26. Standing Committees Generally.** – (a) The Speaker shall appoint a chair,
10 or cochair, of every standing committee and select committee, if any. In the construction of these
11 rules, the word "chair" as applied to a committee, extends to and includes a cochair of the
12 committee. The Speaker shall have the exclusive right and authority to establish select
13 committees, but this does not exclude the right of the House by resolution to establish select
14 committees.

15 (b) The Speaker shall establish the number of members of each standing committee
16 and appoint the members in a manner to reflect the partisan membership of the House, except that
17 the Committee on Ethics shall have an equal number of members of the majority and minority.

18 (c) Before appointing members of committees, the Speaker shall consult with the
19 Minority Leader. The Speaker and Minority Leader shall consider members' committee
20 preferences in making appointments and recommendations.

21 (d) The Speaker may name one or more vice-chairs for any standing committee.

22 (e) Up to two Chairs of the Appropriations Committee are entitled to vote in all
23 other Appropriations Committees (Capital, Education, General Government, Health and Human
24 Services, Information Technology, Justice and Public Safety, Agriculture and Natural and
25 Economic Resources, and Transportation).

26 (f) Either the chair or acting chair, designated by the chair or by the Speaker, and
27 five other members of the standing committee, or a majority of the standing committee, whichever
28 is fewer, shall constitute a quorum of that standing committee. A quorum of less than a majority of
29 all the members must include at least one member of the minority party.

30 (g) In any joint meeting of the Senate and House committees, the House standing
31 committee reserves the right to vote separately.

32 **RULE 26.1. Mentions of Standing Committee Includes Select Committee.** – Any
33 reference in these rules to standing committees shall extend to select committees unless the
34 context requires otherwise.

35 **RULE 27. List of Standing Committees.** – The standing committees thereof are:
36 Committees

37
38 Aging

39
40 Agriculture

41
42 Alcoholic Beverage Control

43
44 Appropriations

45 Appropriations, Capital

46 Appropriations, Education

47 Appropriations, General Government

48 Appropriations, Health and Human Services

49 Appropriations, Information Technology

50 Appropriations, Justice and Public Safety

51 Appropriations, Agriculture and Natural and Economic Resources

| | |
|----|---|
| 1 | Appropriations, Transportation |
| 2 | |
| 3 | Banking |
| 4 | |
| 5 | Homelessness, Foster Care, and Dependency |
| 6 | |
| 7 | Commerce and |
| 8 | Job Development |
| 9 | |
| 10 | Education – K-12 |
| 11 | |
| 12 | Education – Community Colleges |
| 13 | |
| 14 | Education – Universities |
| 15 | |
| 16 | Elections and Ethics Law |
| 17 | |
| 18 | Energy and Public Utilities |
| 19 | |
| 20 | Environment |
| 21 | |
| 22 | Ethics |
| 23 | |
| 24 | Finance |
| 25 | |
| 26 | Health |
| 27 | |
| 28 | Health Care Reform |
| 29 | |
| 30 | Homeland Security, Military, and |
| 31 | Veterans Affairs |
| 32 | |
| 33 | Insurance |
| 34 | |
| 35 | Judiciary I |
| 36 | |
| 37 | Judiciary II |
| 38 | |
| 39 | Judiciary III |
| 40 | |
| 41 | Judiciary IV |
| 42 | |
| 43 | Pensions and Retirement |
| 44 | |
| 45 | Regulatory Reform |
| 46 | |
| 47 | Rules, Calendar, and |
| 48 | Operations of the House |
| 49 | |
| 50 | State and Local Government I |
| 51 | |

1 State and Local Government II

2
3 State Personnel

4
5 Transportation

6
7 University Board of Governors Nominating

8
9 Wildlife Resources

10 **RULE 28. Standing Committee Meetings.** – (a) Standing committees shall be
11 furnished with suitable meeting places pursuant to a schedule established by the Chair of the
12 Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be
13 furnished with suitable meeting places as their needs require by the Chair of the Standing
14 Committee on Rules, Calendar, and Operations of the House.

15 (b) Subject to the provisions of subsection (c) of this rule, standing committees
16 shall permit other members of the General Assembly, the press, and the general public to attend all
17 sessions of said standing committees.

18 (c) The chair or other presiding officer shall have general direction of the meeting
19 place of the standing committee, and, in case of any disturbance or disorderly conduct therein, or
20 if the peace, good order, and proper conduct of the legislative business is hindered by any person
21 or persons, the Chair or presiding officer shall have power to exclude from the session any
22 individual or individuals so hindering the legislative business.

23 (d) Procedure in the standing committees shall be governed by the rules of the
24 House, so far as the same may be applicable to such procedure. Before a question is put, any
25 member may call for the ayes and noes. The Chair shall ask, "Is the call sustained?" If the call is
26 sustained by one-fifth of the members present and standing, the question shall be decided by the
27 ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be
28 subject to Rule 21(c).

29 (d1) The committee chair shall set the agenda for each committee meeting. After
30 April 1, 2017, a committee may, provided there is a written request signed by at least two-thirds of
31 the members of the committee, place a bill on the committee's agenda for the next regularly
32 scheduled meeting of the committee.

33 (e) No standing committee shall meet on any day when the House shall not
34 convene except by permission of the Speaker or by approval of the House by resolution adopted
35 by a majority vote of the House.

36 (f) No standing committee shall meet during any session of the House. Standing
37 committees shall meet at their regularly scheduled hour. Standing committees may meet at other
38 times as authorized by the Chair of the Standing Committee on Rules, Calendar, and Operations of
39 the House in order to assure the availability of the meeting room and that no conflicts will exist
40 with the meetings of other bodies. All standing committee meetings shall adjourn no later than:

41 (1) 15 minutes preceding a regular session of the House, and

42 (2) 10 minutes preceding the hour of the next regularly scheduled standing
43 committee meeting.

44 Action taken by a committee in violation of this rule is voidable unless taken by
45 unanimous consent at a meeting at which a majority of all the members of the committee are
46 present, and at least one member present is of the minority party.

47 (g) Any call or notice of a standing committee meeting between legislative sessions
48 shall be sent by electronic mail to each member of the standing committee at least five days prior
49 to such meeting. If a member of the body so requests in writing to the chair of the standing
50 committee, the member shall also be notified of the meetings by mail at a designated address.

1 (h) During standing committee meetings, the chair may exercise the right to vote,
2 or may reserve this right until there is a tie, in which event the chair may vote, but in no instance
3 may the chair vote twice on the same question.

4 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open Meetings**

5 **Law.** – (a) On its own motion, or in response to signed and sworn complaint of any individual
6 filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged
7 violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the
8 General Statutes), as the same may be amended in the future.

9 (b) If, after such preliminary investigation as it may make, the Committee
10 determines to proceed with an inquiry into the conduct of any individual, the Committee shall
11 notify the individual as to the fact of the inquiry and the charges against the individual and shall
12 schedule one or more hearings on the matter. The individual shall have the right to present
13 evidence, cross-examine witnesses, and be represented by counsel at any hearings.

14 (c) After the Committee has concluded its inquiries into the alleged violations, the
15 Committee shall dispose of the matter by taking one of the following actions:

16 (1) Dismiss the complaint and take no further action.

17 (2) Issue a private letter of reprimand to the legislator, if the legislator
18 unintentionally violated the provisions of the Open Meetings Law.

19 (3) Issue a public letter of reprimand if the violation of the Open Meetings Law
20 was intentional or if the legislator has previously received a private letter of
21 reprimand. The Chair of the Committee on Ethics shall have the public letter of
22 reprimand spread on the pages of the House Journal.

23 (4) Refer the matter to the House for appropriate action.

24 **RULE 29. Notice of Standing Committee Meetings and Hearings.** – (a) Notice of
25 meetings of standing committees that will occur at the regularly scheduled meeting times shall be
26 given by one or both of the following methods:

27 (1) Notice given openly at a session of the House; or

28 (2) Notice mailed or sent by electronic mail to those who have requested notice,
29 and to the Legislative Services Office, which shall post the notice on the
30 General Assembly Web site.

31 (b) Notice of all other meetings shall be given in the House. If the meeting is
32 scheduled to occur after adjournment, notice shall also be given by electronic mail and posting on
33 the General Assembly Web site.

34 (c) The chair of the standing committee shall notify or cause to be notified the
35 sponsor of each bill that is set for hearing or consideration before the standing committee as to the
36 date, time, and place of that meeting.

37 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in
38 writing to the chair of the standing committee to which the bill has been referred. The chair of the
39 standing committee may schedule a public hearing by the standing committee as a whole after the
40 adjournment of a regular daily House session. Denial of a request made by a House member may
41 be appealed to the Speaker.

42 Notice shall be given not less than five calendar days prior to public hearings. These
43 notices shall be issued as information for the press and shall be posted in the places designated by
44 the Principal Clerk.

45 (b) Persons desiring to appear and be heard at a public hearing shall submit their
46 requests to the chair of the standing committee. The standing committee chair may designate one
47 or more members to arrange the order of appearance of interested parties. A brief written
48 statement of testimony may be submitted without oral presentation and shall be incorporated into
49 the minutes of the public hearing.

50 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee
51 shall ensure that written minutes are compiled for each of the body's meetings. The minutes shall

1 indicate the members present and the actions taken at the meeting. Not later than 10 days after the
2 adjournment of each session of the General Assembly, the chair shall deliver the minutes to the
3 Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing
4 said minutes upon written application of the chair.

5 **RULE 30. Committee of the Whole House.** – (a) A Committee of the Whole House
6 shall not be formed, except by leave of the House.

7 (b) After passage of a motion to form a Committee of the Whole House, the
8 Speaker shall appoint a chair to preside in the committee, and the Speaker shall leave the dais.

9 (c) The rules of procedure in the House shall be observed in the Committee of the
10 Whole House, so far as they may be applicable, except the rule limiting the time of speaking and
11 the previous question.

12 (d) In the Committee of the Whole House, a motion that the standing committee
13 rise shall always be in order, except when a member is speaking, and shall be decided without
14 debate.

15 (e) When a bill is submitted to the Committee of the Whole House, it shall be read
16 and debated by sections, leaving the preamble to be last considered. The body of the bill shall not
17 be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the
18 Principal Clerk on a separate paper as the same shall be agreed to by the standing committee and
19 be so reported to the House. After report, the bill shall again be subject to be debated and amended
20 by sections before a question on its passage be taken.

21 **VI. Handling of Bills**

22 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions shall
23 be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the
24 first reading and reference thereof according to the following schedule: by 30 minutes after
25 adjournment each Monday; and by 3:00 P.M. each Tuesday, Wednesday, Thursday, and Friday.

26 (b) Bills shall not become resolutions provided the Senate has a similar rule.
27 Resolutions shall not become bills. Resolutions are not law but may be used when a law is not
28 necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for
29 any purpose, but may be used to create study commissions or committees or establish investigative
30 committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions
31 cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session
32 during which they are adopted.

33 (c) Every bill or resolution shall be read in regular order of business, except upon
34 permission of the Speaker or on the report of a standing committee.

35 (d) All bills and resolutions shall show in their captions a brief descriptive
36 statement of the true substance of same, which captions may thereafter be amended. Amendments
37 to captions of bills are in order only if the amendment is germane to the bill. Third reading shall
38 not be had on any bill or resolution on the same day that such caption is amended.

39 (e) A Substitute Bill shall be covered with the same color jacket as the original bill
40 and shall be prefaced as follows: "House Committee Substitute for_____."

41 (f) House resolutions need not be read more than twice.

42 (g) All memorializing, celebration, commendation, and commemoration
43 resolutions, except those honoring the memory of deceased persons, shall be excluded from
44 introduction and consideration in the House. The mention of a deceased person as a pretext to
45 honor an institution or a living person is prohibited. Members should utilize a "Representative
46 Statement of Personal Privilege," as provided in Rule 8.1, as the preferred alternative to House
47 simple resolutions that memorialize, celebrate, commend, and commemorate, other than for those
48 relating to deceased members of the General Assembly.

49 (h) Any reference in these rules to bills shall extend to resolutions unless the
50 context requires otherwise.

RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; 15 Bill Limit.

– (a) All local bills must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 15, 2017, and must be introduced not later than 3:00 P.M. on Wednesday, March 29, 2017.

(b) All public bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly (i) to report to the 2017 Regular Session of the General Assembly, or to report prior to convening of that session, or (ii) which are recommended to the 2017 Regular Session of the General Assembly by a commission or committee established directly by Chapter 120 of the General Statutes, must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Tuesday, February 21, 2017, and must be introduced not later than 3:00 P.M. on Wednesday, March 1, 2017.

(c) All bills prepared to be introduced for departments, agencies, or institutions of the State must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Tuesday, March 7, 2017, and must be introduced not later than 3:00 P.M. on Wednesday, March 15, 2017. A bill introduced under this subsection shall be identified as an Agency Bill after its short title or in the drafting code.

(d) All public bills that would not be required to be re-referred to the Appropriations or Finance Committees under Rule 38 and all joint resolutions and House resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, March 23, 2017, and must be introduced not later than 3:00 P.M. on Tuesday, April 11, 2017.

(e) All public bills which under Rule 38 are required to be re-referred to either or both of the Appropriations Committee or the Finance Committee must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 6, 2017, and must be introduced not later than 3:00 P.M. on Wednesday, April 25, 2017. If any bill is subject to the deadline under this subsection and the bill is amended so that all the provisions requiring referral to either or both of those committees under Rule 38 do not remain in the bill, it is not eligible for further consideration.

(f) A bill containing no substantive provisions may not be introduced in the House.

(g) No member may introduce more than 15 public bills. For the purpose of this subsection, the introducer is the member who is listed as the first sponsor. A member may assign a portion of this limit to another member electronically using the procedures established and published by the Principal Clerk. This subsection does not apply to bills or resolutions recommended by commissions or committees authorized or directed by act or resolution of the General Assembly (i) to report to the 2017 Regular Session of the General Assembly, or to report prior to convening of that session, or (ii) that are recommended to the Regular Session of the General Assembly by a commission or committee established directly by Chapter 120 of the General Statutes. This subsection does not apply to joint resolutions or House resolutions.

(h) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills that would be required to be re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment resolutions must be received and read on the floor of the House as a message from the Senate no later than Thursday, April 27, 2017; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

(i) This rule, other than subsections (f) and (g) does not apply to bills (i) establishing districts for Congress or State or local entities, (ii) introduced on the report of the Committees on Appropriations, Finance, or Rules, Calendar, and Operations of the House, or (iii) ratifying an amendment or amendments to the Constitution of the United States. This rule does not apply to resolutions adjourning the General Assembly sine die or to a day certain.

1 **RULE 32. Reference to Standing Committees; Serial Referrals.** – Each bill not
2 introduced on the report of a standing committee shall immediately upon its first reading be
3 referred by the Speaker to such standing committee or committee of the whole as the Speaker
4 deems appropriate. The Speaker at the same time may order that, if the bill is reported with any
5 favorable recommendation or without prejudice, it be re-referred automatically upon the
6 committee report to another committee designated in the order. Each joint resolution or House
7 resolution not introduced on the report of a standing committee shall immediately upon its first
8 reading either be referred by the Speaker to a standing committee or be calendared on the date
9 designated by the Speaker, as the Speaker deems appropriate.

10 **RULE 33. Papers Addressed to the House.** – Petitions, memorials, and other papers
11 addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof
12 may be made orally by the introducer before reference to a committee, but such papers shall not be
13 debated or decided on the day of their first being read unless the House shall direct otherwise.

14 **RULE 34. Introduction of Resolutions and Bills.** – (a) House Bills shall be
15 designated as "H.B.____." (No. following). A Joint Resolution shall be designated as "H.J.R.____."
16 (No. following). A House resolution shall be designated as "H.R.____." (No. following).

17 Whenever any resolution or bill is filed for introduction, it shall comply with
18 the procedures established and published by the Principal Clerk.

19 (b) No bill may be filed for introduction if the draft contains names preprinted on
20 the bill jacket and body of the bill (either as primary sponsors or cosponsors) unless each such
21 member has signed the jacket.

22 **RULE 35. Public and Local Bills.** – (a) The Legislative Services Officer shall cause
23 such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker.
24 Copies shall be placed in the Printed Bills Room and made available to the committees to which
25 the bill is referred, to individual members on request, and to the general public.

26 (b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting
27 fewer than 15 counties.

28 **RULE 35.1. Municipal Incorporation Reports.** – Every legislative proposal
29 introduced in the House or received in the House from the Senate proposing the incorporation of a
30 municipality shall have attached to the jacket of the original bill at the time of its consideration on
31 second or third readings by the House or by any committee of the House prior to a favorable
32 report, a recommendation from the Municipal Incorporations Subcommittee of the Joint
33 Legislative Committee on Local Government, established by Article 20 of Chapter 120 of the
34 General Statutes. The recommendation of the Municipal Incorporations Subcommittee of the Joint
35 Legislative Committee on Local Government shall be made in accordance with the provisions and
36 criteria set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings
37 required to be made by G.S. 120-166 through G.S. 120-170.

38 **RULE 36. Report by Standing Committee.** – (a) **Reports.** – Bills and resolutions
39 may be reported from the standing committee to which referred with such recommendations as the
40 standing committee may desire to make.

41 (b) **Favorable Report.** – When a standing committee reports a bill with the
42 recommendation that it be passed, the bill shall be placed on the favorable calendar on the day
43 designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
44 House, but not on the same day that it is reported except by leave of the House, and no later than
45 the fourth legislative day after submission of the report or Senate message under Rule 43.2 or Rule
46 43.3(a), unless:

- 47 (1) The bill is re-referred to the Committee on Appropriations or Committee on
48 Finance under Rule 38 or was serially referred under Rule 32; or
- 49 (2) The bill has not yet been placed on the calendar, and the Speaker refers the bill
50 to another committee.

1 In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair of
2 the Standing Committee on Rules, Calendar, and Operations of the House orally in the House or in
3 writing to the Principal Clerk. When a committee substitute is adopted and receives a favorable
4 report by the committee, the standing committee chair shall submit to the standing committee the
5 question of an unfavorable report on the original bill. The standing committee's action, if any, on
6 the original bill shall be reported at the same time the committee substitute is reported.

7 (b1) **Distribution of Proposed Committee Substitutes.** – Except by leave of a
8 committee, before a proposed committee substitute may be considered by the committee, the
9 proposed committee substitute shall have been distributed electronically and no later than 9:00
10 P.M. of the preceding calendar day to the members of the committee and to the member who is
11 listed as the first sponsor.

12 (c) **Report Without Prejudice.** – When a standing committee reports a bill
13 without prejudice, the bill shall be placed on the favorable calendar in the same manner as
14 provided in subsection (b) of this rule.

15 (d) **Postponed Indefinitely.** – When a standing committee reports a bill with the
16 recommendation that it be postponed indefinitely and no minority report accompanies it, the bill
17 shall be placed on the unfavorable calendar.

18 (e) **Unfavorable Report.** – When a standing committee reports a bill with the
19 recommendation that it not be passed and no minority report accompanies it, the bill shall be
20 placed on the unfavorable calendar.

21 (f) **Minority Report.** – When a bill is reported by a standing committee with a
22 recommendation that it not be passed or that it be postponed indefinitely but it is accompanied by
23 a minority report signed by at least one-fourth of the members of the standing committee who
24 were present and voting when the bill was considered in standing committee, the question before
25 the House shall be: "The adoption of the minority report." If the minority report is adopted by
26 majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority
27 report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

28 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
29 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and
30 Operations of the House, upon the floor of the House, may request that a fiscal analysis be made
31 of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the
32 House and that a fiscal note be attached to the measure, which request shall be allowed when, in
33 the opinion of the Speaker, the fiscal effects of that measure are not apparent from the language of
34 the measure. When a request is properly made under this subsection, the bill is removed from the
35 calendar until such time that the fiscal note is attached to the measure.

36 (b) The fiscal note shall be filed and attached to the bill or amendment within two
37 legislative days of the request, and a copy shall be sent by electronic mail to each member. If it is
38 impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research
39 shall, in writing, so advise the Speaker, the Principal Clerk, the Majority Leader, the Minority
40 Leader, and the member introducing or proposing the measure and shall indicate the time when the
41 fiscal note will be ready.

42 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
43 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
44 House as to content and form and signed by the staff member or members preparing it. If no
45 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is
46 provided. The fiscal note shall not comment on the merit but may identify technical problems. The
47 Fiscal Research Division shall make the fiscal note available to the membership of the House.

48 (d) A sponsor of a bill or amendment may deliver a copy of the bill or amendment
49 to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the
50 fiscal note to the bill when filed or to the amendment when its adoption is moved.

1 (e) The sponsor of a bill or amendment to which a fiscal note is attached who
2 objects to the estimates and information provided may reduce to writing the objections. These
3 objections shall be appended to the fiscal note attached to the bill or amendment and to the copies
4 of the fiscal note available to the membership.

5 (f) Subsection (a) of this rule shall not apply to the Current Operations
6 Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply to a
7 bill or amendment requiring an actuarial note under these rules.

8 **RULE 36.2. Actuarial Notes.** – (a) Every bill or resolution proposing any change in
9 the law relative to any:

10 (1) State, municipal, or other retirement system funded in whole or in part out of
11 public funds; or

12 (2) Program of hospital, medical, disability, or related benefits provided for
13 teachers and State employees, funded in whole or in part by State funds;

14 shall have attached to it at the time of its consideration by any standing committee a brief
15 explanatory statement or note which shall include a reliable estimate of the financial and actuarial
16 effect of the proposed change to that retirement or pension system. The actuarial note shall be
17 attached to the jacket of each proposed bill or resolution which is reported favorably by any
18 standing committee, shall be separate therefrom, and shall be clearly designated as an actuarial
19 note. A bill described in subdivision (a)(1) of this rule shall be referred to the Committee on
20 Pensions and Retirement upon its introduction in accordance with G.S. 120-111.3.

21 (b) The sponsor of the bill or resolution shall present a copy of the measure, with a
22 request for an actuarial note, to the Fiscal Research Division, which shall prepare the actuarial
23 note as promptly as possible but not later than two weeks after the request is made, unless an
24 extension of time is agreed to by the sponsor as being necessary in the preparation of the note.
25 Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the
26 sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and
27 signed by an actuary.

28 (c) The sponsor of the bill or resolution shall also present a copy of the measure to
29 the actuary employed by the system or program affected by the measure. Actuarial notes shall be
30 prepared and transmitted to the sponsor of the measure not later than two weeks after the request is
31 received, unless an extension of time is agreed to by the sponsor as being necessary in the
32 preparation of the note. The actuarial note shall be attached to the jacket of the measure. The
33 provisions of this subsection may be waived by the measure's sponsor for a measure affecting
34 local government retirement or pension plans not administered by the State or any local
35 government program of hospital, medical, disability, or related benefits for local government
36 employees not administered by the State.

37 (d) The note shall be factual and shall, if possible, provide a reliable estimate of
38 both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the
39 measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note
40 shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be
41 given. No comment or opinion shall be included in the actuarial note with regard to the merits of
42 the measure for which the note is prepared. Technical and mechanical defects in the measure may
43 be noted.

44 (e) When any permanent committee reports a measure to which an actuarial note is
45 attached at the time of permanent committee consideration, with any amendment of such nature as
46 would substantially affect the cost to or the revenues of any retirement or pension system, or
47 program of hospital, medical, disability, or related benefits for teachers or State employees, the
48 chair of the standing committee reporting the measure shall obtain from the Fiscal Research
49 Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The
50 actuarial note shall be attached to the jacket of the measure. An amendment to any bill or
51 resolution shall not be in order if the amendment affects the costs to or the revenues of a

1 State-administered retirement or pension system, or program of hospital, medical, disability, or
2 related benefits for teachers or State employees, unless the amendment is accompanied by an
3 actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the
4 amendment.

5 (f) The Fiscal Research Division shall make all relevant actuarial notes available to
6 the membership of the House.

7 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local bill
8 affecting the State Highway System shall be referred to the Committee on Transportation.

9 **RULE 36.4. Content of Appropriations Bills.** – No provision shall be contained in
10 any of the following bills unless it pertains to the appropriation of money or the raising or
11 reducing of revenue: (i) the Current Operations Appropriations Bill; (ii) the Capital Improvement
12 Appropriations Bill; (iii) any bill generally revising appropriations for the second fiscal year of a
13 biennium. If a point of order is made against such a provision and is sustained, the presiding
14 officer shall refer the bill to the committee from which it came, with instructions for the chair of
15 the committee to immediately report out a substitute or amendment removing the offending
16 provision.

17 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be removed
18 from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to remove a bill
19 from the unfavorable calendar is debatable.

20 **RULE 38. Reports on Appropriation and Revenue Bills.** – (a) All standing
21 committees, other than the Standing Committees on Appropriations, when favorably reporting any
22 bill or resolution that:

23 (1) Carries an appropriation from the State; or

24 (2) Requires or will require in the future substantial additional State monies from
25 the General Fund or Highway Fund to implement its provisions shall indicate
26 same in the report, and said bill or resolution shall be referred to the Standing
27 Committees on Appropriations for a further report before being acted upon by
28 the House.

29 (b) All standing committees, other than the Standing Committee on Finance, when
30 favorably reporting any bill that in any way or manner raises revenue, reduces revenue, levies a
31 tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or
32 notes, whether public or local, shall indicate same in the report, and said bill shall be referred to
33 the Standing Committee on Finance for a further report before being acted upon by the House.
34 This subsection shall not apply to bills only imposing fines, forfeitures, or penalties.

35 **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from
36 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that measure
37 if accompanied by a petition asking that the committee be discharged from further consideration of
38 the bill. No motion may be filed until 10 legislative days after the bill has been referred to the
39 committee. No petition may be filed until notice has been given on the floor of the House that the
40 petition is to be filed and the primary sponsor giving notice has obtained a fiscal note from the
41 Fiscal Research Division on the bill, which note shall be attached to the petition. Members may
42 sign the petition only in the office of the Principal Clerk, and when the signatures of 61 members
43 appear on the petition, the Principal Clerk shall place that motion on the calendar for the next
44 legislative day as a special order of business. Members may withdraw their names at any time
45 until 61 names appear. If the motion is adopted by the House, then the committee to which the bill
46 or resolution has been referred is discharged from further consideration of the bill, and that bill is
47 placed on the calendar for the next legislative day as a special order of business. The Principal
48 Clerk shall provide a form for discharge petitions.

49 (b) This rule shall not be temporarily suspended without one day's notice on the
50 motion given in the House and delivered in writing to the chair of the standing committee, and to
51 sustain that motion two-thirds of the members shall be required.

1 **RULE 39.1. Re-Referral of Bills From One Standing Committee to Another**
2 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the
3 standing committee from whom the bill is to be re-referred, and the chair of the standing
4 committee to whom the bill is to be re-referred, the chair of the standing committee from whom
5 the bill is to be re-referred, or the Chair of the Standing Committee on Rules, Calendar, and
6 Operations of the House may move for a re-referral to another standing committee, and the bill
7 shall be re-referred upon vote of the majority present during a regular session of the House.

8 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall
9 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for
10 consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5).
11 The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills
12 and resolutions shall be taken up as they appear in each category (Rule 5(10)). Except by leave of
13 the House, the Speaker shall not vary from the order.

14 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the House
15 prior to its passage. The first reading and reference to standing committee of a House bill shall
16 occur on the next legislative day following its introduction. The first reading and reference to
17 standing committee of a Senate bill shall occur on the next legislative day following its receipt on
18 messages from the Senate. The Speaker shall give notice at each subsequent reading whether it is
19 the second or third reading.

20 (b) No bill shall be read more than once on the same day without the concurrence
21 of two-thirds of the members present and voting; provided, no bill governed by Article II, Section
22 23 of the North Carolina Constitution herein shall be read twice on one day under any
23 circumstance.

24 **RULE 42. Effect of a Defeated Bill.** – (a) Subject to the provisions of subsection (b)
25 of this rule, after a bill has:

- 26 (1) Been tabled,
- 27 (2) Been postponed indefinitely,
- 28 (3) Failed to pass on any of its readings, or
- 29 (4) Been placed on the unfavorable calendar,

30 the contents of that bill or the principal provisions of its subject matter shall not be considered in
31 any other measure originating in the Senate or originating thereafter in the House. Upon the point
32 of order being raised and sustained by the chair, that measure shall be laid upon the table, and shall
33 not be taken therefrom except by a two-thirds vote of the members present and voting.

34 (b) No local bill shall be held by the chair to embody the contents of or the
35 principal provisions of the subject matter of any statewide measure which has been laid on the
36 table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

37 **RULE 43. Amendments.** – (a) No amendment to a measure before the House shall be
38 in order unless the amendment is germane to the measure under consideration. A House
39 amendment deleting a previously adopted House amendment shall not be in order. No amendment
40 that is clearly unconstitutional shall be in order.

41 Only one principal (first degree) amendment shall be pending at any one time. If a
42 subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of
43 order. However, any member desiring to offer a subsequent or substitute principal amendment in
44 opposition to the pending amendment may inform the House by way of argument against the
45 pending amendment that, if it is defeated, the member proposes to offer another principal
46 amendment, and the member may then read and explain such proposed amendment.

47 Perfecting (or second degree) amendments may be offered and considered without
48 limitation as to number, and in the event of multiple perfecting amendments, they shall be voted
49 upon in inverse order.

1 (b) The following rules apply when considering: (i) the Current Operations
2 Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally
3 revising appropriations for the second fiscal year of a biennium:

4 (1) Amendments cannot increase total spending within a committee area beyond
5 the total for that committee as shown in the committee report.

6 (2) Amendments can only affect appropriations within the departments, agencies,
7 or programs within the jurisdiction of the committee.

8 (3) Amendments cannot increase total spending, from any source, beyond the total
9 amount shown in the committee report.

10 (4) Amendments that cause the budget to be unbalanced are not in order.

11 (5) Amendments cannot spend reversions.

12 (6) Amendments cannot make nonrecurring reductions to fund recurring items.

13 (c) When offering an amendment, the member shall deliver the signed original
14 amendment to the Principal Clerk and a copy to the Chair of the Committee on Rules, Calendar,
15 and Operations of the House.

16 **RULE 43.1. Engrossment.** – Bills and resolutions which originate in the House and
17 which are amended, shall be engrossed before being sent to the Senate.

18 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** – When the
19 House receives a Senate amendment to a bill originating in the House, it shall be placed on the
20 calendar in accordance with Rule 36(b).

21 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in**
22 **the House; Procedure for Treatment of Material Amendments Thereto.** – (a) Whenever the
23 Senate has adopted a committee substitute for a bill originating in the House and has returned the
24 bill to the House for concurrence in that committee substitute, it shall be placed on the calendar in
25 accordance with Rule 36(b).

26 (b) The Speaker shall rule whether the committee substitute is a material
27 amendment under Article II, Section 23 of the North Carolina Constitution which reads:

28 "**Revenue bills.** – No law shall be enacted to raise money on the credit of the State, or to
29 pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax
30 upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for
31 the purpose shall have been read three several times in each house of the General Assembly and
32 passed three several readings, which readings shall have been on three different days, and shall
33 have been agreed to by each house respectively, and unless the yeas and nays on the second and
34 third readings of the bill shall have been entered on the journal."

35 If the committee substitute was referred to standing committee, the standing committee
36 shall:

37 (1) Report the bill with the recommendation either that the House do concur or that
38 the House do not concur; and

39 (2) Advise the Speaker as to whether or not that committee substitute is a material
40 amendment under Article II, Section 23 of the North Carolina Constitution.

41 (c) If the committee substitute for a bill is not a material amendment, the question
42 before the House shall be concurrence.

43 (d) If the committee substitute for a bill is a material amendment, the receiving of
44 that bill on messages shall constitute first reading, and the question before the House shall be
45 concurrence on second reading. If the motion is passed, the question then shall be concurrence on
46 third reading on the next legislative day.

47 (e) No committee substitute adopted by the Senate for a bill originating in the
48 House may be amended by the House.

49 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall decline
50 or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall
51 refuse to concur in a substitute adopted by the Senate for a bill originating in the House, or

1 whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill
2 originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill
3 originating in the Senate, a conference committee may be appointed by the Speaker upon the
4 Speaker's own motion and shall be appointed upon request by the principal sponsor of the original
5 bill, the chair of the House standing committee that reported the bill, or the sponsor of the
6 amendment in which the Senate refused to concur; and the bill under consideration shall thereupon
7 go to and be considered by the joint conferees on the part of the House and Senate. In appointing
8 members to conference committees, the Speaker shall appoint no less than a majority of members
9 who generally supported the House position as determined by the Speaker.

10 (b) The conference report may be made by a majority of the House members of
11 such conference committee and shall not be amended. If the Senate has a similar rule, only such
12 matters as are in difference between the two houses shall be considered by the conferees, and the
13 conference report shall deal only with such matters. If the Senate does not have a similar rule, a
14 conference committee report which includes significant matters that were not in difference
15 between the houses, shall be referred to a standing committee for its recommendation before
16 further action by the House.

17 (c) If the conferees fail to agree or if either house fails to adopt the report of its
18 conferees, new conferees may be appointed.

19 (d) No vote shall be taken on adoption of a conference report until the next
20 legislative day following the report, except that no vote shall be taken on adoption of a conference
21 report on either the Current Operations Appropriations Bill or a bill generally revising the Current
22 Operations Appropriations Act until the third legislative day following the report.

23 **RULE 44.1. Transmittal of Bills to Senate.** – Unless ordered by the Speaker or
24 two-thirds vote of the members present and voting, no bill shall be sent from the House on the day
25 of its passage, except on the last day of the session.

26 **RULE 44.2. Veto Override.** – (a) Other than in a reconvened session, no vote shall be
27 taken on overriding a gubernatorial veto on a House bill until the second legislative day following
28 notice of its placement on the calendar.

29 (b) Other than in a reconvened session, no vote shall be taken on overriding a
30 gubernatorial veto on a Senate bill until the legislative day following notice of its placement on the
31 calendar.

32 **VII. Legislative Officers and Employees**

33 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its
34 membership.

35 (b) The House shall elect its Speaker Pro Tempore from among its membership
36 who shall perform such duties as the Speaker may assign.

37 (c) The House shall elect a Principal Clerk, who shall continue in office until
38 another is elected. The Speaker may appoint a Reading Clerk and shall appoint a
39 Sergeant-at-Arms, both of whom shall serve at the Speaker's pleasure. The Principal Clerk,
40 Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not
41 inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by the Speaker
42 on behalf of the House, the Principal Clerk or an employee designated by the Principal Clerk shall
43 receive House bills not approved by the Governor.

44 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The Principal
45 Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as
46 may be necessary to the efficient discharge of the duties of their respective offices.

47 **RULE 47. Speaker's Staff; Chaplain; and Pages.** – (a) The Speaker may appoint one
48 or more staff members to the Speaker, a Chaplain of the House, and pages to wait upon the
49 sessions of the House.

50 (b) When the House is not in session, the pages shall be under the supervision of
51 the Supervisor of Pages.

1 (c) The Speaker, at the request of a member, may appoint honorary pages.
2 **RULE 48. Member's Staff.** – (a) Each standing committee shall have a committee
3 assistant. The committee assistant to a standing committee shall serve as staff to the chair of the
4 standing committee.

5 (b) Each member shall be assigned a legislative assistant, unless the member has a
6 committee assistant to serve as legislative assistant.

7 (c) The selection and retention of legislative assistants shall be the sole prerogative
8 of the individual member or members. Such staff shall file initial applications for employment
9 with the Director of Legislative Assistants and shall receive compensation as prescribed by the
10 Legislative Services Commission. Their period of employment shall comply with the period as
11 established by the Legislative Services Commission unless employment for an extended period is
12 approved by the Speaker. The legislative assistants shall adhere to such uniform rules and
13 regulations not inconsistent with these rules regarding hours and other conditions of employment
14 as the Legislative Services Commission shall fix by appropriate regulations. The Director of
15 House Legislative Assistants shall be appointed by the Speaker.

16 **RULE 49. Compensation of Legislative Assistants.** – No person employed, serving,
17 or appointed under Rules 46, 47, and 48 shall receive during such employment, appointment, or
18 service any compensation from any department of the State government, and there shall not be
19 voted, paid, or awarded any additional pay, bonus, or gratuity to any of them; but they shall
20 receive only the pay now provided by law for such duties and services.

21 **VIII. Privileges of the Hall**

22 **RULE 50. Admittance to Floor.** – (a) No person except members, officers, and
23 designated employees of the General Assembly who have been issued identification tags as
24 provided by this rule, and former members of the General Assembly who are not registered under
25 the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on the floor
26 of the House during its session, unless permitted by the Speaker or otherwise provided by law.
27 Employees of the General Assembly shall wear identification tags, approved by the Legislative
28 Services Officer, when on the floor of the House.

29 (b) Except when a committee is meeting on the floor of the House, a person who is
30 not authorized to be admitted to the floor under subsection (a) of this rule shall not be allowed to
31 enter the chamber until at least five minutes after adjournment or recess of the House.

32 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates may be
33 admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect
34 this object, as shall not interfere with the convenience of the House. Reporters admitted to the
35 floor of the House shall observe the same requirements of attire for members contained in Rule
36 12(h).

37 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or lobby shall be
38 extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend
39 these courtesies shall be delivered to the Speaker. No member shall orally ask the Speaker to
40 extend these courtesies during the daily session.

41 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of any
42 disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or other
43 presiding officer is empowered to order the same to be cleared to the extent they deem necessary.

44 **IX. General Rules**

45 **RULE 54. Attendance of Members.** – Members and officers of the House shall
46 request leaves from the service of the House with the Principal Clerk.

47 **RULE 55. Documents to Be Signed by the Speaker.** – All acts, addresses, and
48 resolutions and all warrants and subpoenas issued by order of the House shall be signed by the
49 Speaker or other presiding officer.

50 **RULE 56. Printing or Reproducing Materials.** – There shall be no printing or
51 reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

1 **RULE 57. Placement or Circulation of Materials.** – Persons other than members of
2 the House shall not place or cause to be placed any materials on members' desks in the House
3 Chamber without obtaining approval of the Speaker. Any material placed on members' desks in
4 the House Chamber, or circulated to House members anywhere in the Legislative Building or the
5 Legislative Office Building, shall bear the name of the originator.

6 **RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be
7 permanently rescinded or altered except by House simple resolution passed by a two-thirds vote of
8 the members present and voting. The introducer of the resolution must on the floor of the House
9 give notice of intent to introduce the resolution on the legislative day preceding its introduction.

10 (b) Except as otherwise provided herein, the House upon two-thirds vote of the
11 members present and voting may temporarily suspend any rule.

12 **RULE 59. Cosponsorship of Bills and Resolutions, Removal of Sponsorship.** – (a)
13 Except by leave of the primary sponsor, or as provided in subsection (d) of this rule, no member
14 may be listed as an additional primary sponsor on a bill after the bill has been filed. Except as
15 provided in subsection (d) of this rule, any member not listed as a preprinted cosponsor on the
16 computer-generated draft edition who wishes to cosponsor a bill or resolution which has been
17 introduced may do so by 5:00 P.M. of the calendar day following the adjournment of the session
18 during which such bill or resolution was first read and referred, but only electronically under
19 procedures approved by the Principal Clerk.

20 (b) Members wishing to cosponsor legislation prior to preparation of the draft
21 should indicate such to the drafter at the time the bill is requested and before filing the bill with the
22 Principal Clerk's office. The names of the members who are the primary sponsors shall be listed in
23 the order requested by them, followed by the words (Primary Sponsors); and the remaining names
24 of such members cosponsoring shall follow on the draft edition and first edition. No more than
25 four members may be listed as primary sponsors. Names of persons cosponsoring bills thereafter
26 under subsection (a) of this rule do not appear on subsequent editions but shall be listed in the bill
27 status system as cosponsors.

28 (c) No member shall permit anyone, other than that member's committee assistant,
29 legislative assistant, office assistant, or another member, to have possession of and solicit for bill
30 or resolution sponsorship, the jacket of a bill or resolution.

31 (d) Should any member wish to remove the member's sponsorship of a bill that is
32 substantially changed by a Senate amendment or a Senate committee substitute, the member shall
33 notify the House Principal Clerk before the bill is considered for concurrence. If no sponsors
34 remain on the bill, the House Principal Clerk shall notify the Chairman of the Committee on
35 Rules, Calendar, and Operations of the House who may request that other members sponsor the
36 bill. Removal of the first primary sponsor's name from a bill does not reduce the total number of
37 bills introduced by the member under Rule 31.1(g), and sponsorship of a bill after removal of all
38 sponsors is subject to Rule 31.1(g).

39 **RULE 60. Correcting of Typographical Errors.** – The Legislative Services Officer
40 may correct typographical errors appearing in House bills or resolutions or House amendments to
41 Senate bills provided that such corrections are made before ratification and do not conflict with
42 any actions or rules of the Senate and provided further that such correction be approved by the
43 Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker,
44 or other presiding officer.

45 **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall
46 continue to occupy the seat to which initially assigned until assigned a permanent seat; once
47 assigned a permanent seat, the member shall occupy it for the entire biennial session. In event of
48 vacancy, the Speaker or the Chair of the Standing Committee on Rules, Calendar, and Operations
49 of the House may assign such permanent seats as are necessary to maintain seating.

50 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,
51 Calendar, and Operations of the House shall assign to each member an office space. When

1 available, chairs of standing committees shall be assigned an office adjacent to the room in which
2 the standing committee generally meets if the Chair so desires. The Speaker shall be assigned an
3 office of his or her choice.

4 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The Principal
5 Clerk of the previous House of Representatives shall convene the House of Representatives at
6 12:00 P.M. on the date established by law for the convening of each regular session and preside
7 over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to
8 so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of a
9 vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading
10 Clerk of the prior House.

11 (b) It shall be the duty of the Chair of the Standing Committee on Rules, Calendar,
12 and Operations of the House of the prior House to assign temporary seats to the members of the
13 House of Representatives in its Chamber. In the case of the inability or refusal to serve of the
14 Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker of
15 the prior House of Representatives shall appoint a person to assign seats to members of the House
16 of Representatives in its Chamber. In the event that the party that had a majority of members in the
17 prior House will no longer have a majority of members in the new House, then the duty assigned
18 in this subsection to the Chair of the Committee of the prior House shall instead be the duty of the
19 person nominated as Speaker by the majority party caucus for the new House, or some
20 member-elect designated by the Speaker-nominee. In the event no party will have a majority, then
21 the duty assigned in this subsection to the Chair of the Committee of the prior House shall instead
22 be the joint duty of one person chosen each by the caucuses of the two parties having the greatest
23 numbers of members.

24 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the rules
25 of Mason's Manual of Legislative Procedure, 2010 Edition, shall govern the operation of the
26 House. Custom and usage may supplement these rules or Mason's Manual, but may not supercede
27 them.

28 **SECTION 2.** This resolution is effective upon adoption.